

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Transport Department – Allegation of possession of disproportionate assets to the known sources of income against Sri J. Bala Naik, the then AMVI, Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector (u/s) – Placed on his defence before the Tribunal for Disciplinary Proceedings – Enquiry conducted – Report received – Charges proved – Dismissal from service – Orders – issued.

TRANSPORT, ROADS & BUILDINGS (TR.VIG) DEPARTMENT

G.O.MS.No. 44

Dated: 07-09-2018

Read the following:

1. From the Director General, Anti Corruption Bureau, A.P., Hyderabad in Rc.No.186/RCA-CIU/2006, Dt. 21.11.2006 & 01.12.2006.
2. From the Director General, Anti Corruption Bureau, A.P., Hyderabad in Rc.No.186/RCA-CIU/2006, Dt.29.01.2008.
3. Lr.No.13128/Vig.III/1/2006-14, T R&B Dept., Dt.16.12.2008.
4. From the Secretary, Tribunal for Disciplinary Proceedings, A.P., Hyderabad, Dis.No.s/4/2016, Dt.11.04.2016.
5. Memo.No.13128/Vig.Tr(1)/2006-24, TR&B(Vig.Tr) Dept., Dt.23.09.2016.
6. From Sri Jarapala Bala Naik, Motor Vehicle Inspector (u/s), representation dt.01.12.2017

ORDER :

Whereas in the reference 1st read above, it has brought to the notice of the Government, that a case was registered on 16.10.2006 in Cr.No.6/ACB-CIU-HYD/2006 under Section 13(2) read with 13(1)(e) of Prevention of Corruption Act, 1988 against Sri J. Bala Naik, the then AMVI Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector (u/s) on the allegation that he acquired assets disproportionate to the known sources of income in his name and his family members.

2. And whereas, after careful examination of the final report of the Director General, Anti Corruption Bureau received in the reference 2nd read above, it was decided to place Sri J. Bala Naik, the then AMVI Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector(u/s) before the TDP(Tribunal For Disciplinary Proceedings) for his defence to conduct an enquiry into the allegation of having acquired the assets disproportionate to his known sources of income, under Sec.4 of A.P.C.S (Disciplinary Proceedings Tribunal) Act, 1960 r/w Rule 3(1)(a) of A.P.C.S (Disciplinary Proceedings Tribunal) Rules, 1989, vide letter 3rd read above.

3. And whereas, the Tribunal for Disciplinary Proceedings has framed charge against Sri J. Bala Naik, the then AMVI Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector(u/s), conducted enquiry and furnished its enquiry report vide reference 4th read above. The Secretary, Tribunal for Disciplinary Proceedings, A.P., in his report dt.04.04.2016 has found that the Accused officer Sri J. Bala Naik, the then AMVI Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector(u/s) was in possession of Disproportionate Assets worth Rs.22,17,751/-, after deducting the 20% margin amount of Rs.7,08,703/- from disproportionate assets of Rs.29,26,454/-. The II Member, Tribunal for Disciplinary Proceedings, has therefore held that the charge of possession of disproportionate assets is proved against the Charged Officer. The prosecution established that the Charged Officer violated Rule 3 of A.P.Civil Services Conduct Rules, 1964 r/w Rule 2(b) of A.P.Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989 and therefore the charge levelled against the Charged Officer has been proved by the prosecution.

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4. And whereas, after examining the matter, vide reference 5th read above, a copy of the Enquiry report of Tribunal for Disciplinary Proceedings was communicated to Sri J. Bala Naik, the then AMVI Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector(u/s), as required under Rule-6(2)(b) of A.P.Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989, directing him to submit his representation on the findings of the Tribunal for Disciplinary Proceedings. In reply the Charged Officer has submitted his explanation on the report of the Tribunal for Disciplinary Proceedings vide reference 6th read above.

5. And whereas, Government after careful examination of the entire matter, in terms of the orders issued vide G.O.Ms.No.2, General Administration (Services-C) Department, dated 04.01.1999, have decided that major penalty of dismissal from service shall be imposed on Sri J. Bala Naik, the then AMVI Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector(u/s) with immediate effect.

6. Now therefore, in exercise of powers conferred under clause (x) of Rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 read with G.O.Ms.No.2, G.A.(Ser.C) Dept., dt.04.01.1999, Government hereby impose the punishment of dismissal from service, against Sri J. Bala Naik, the then AMVI, Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector(u/s) with immediate effect.

7. The Transport Commissioner, Andhra Pradesh, Vijayawada shall take further necessary action in the matter accordingly and report compliance to the Government, immediately.

8. The following notification shall be published in the extraordinary issue of the Andhra Pradesh Gazette.

NOTIFICATION

"In exercise of the powers conferred under clause (x) of rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 read with G.O.Ms.No.2, G.A(Ser.C) Dept., dt.04.01.1999, Government hereby impose the punishment of dismissal from service against Sri J. Bala Naik, the then AMVI, Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector(u/s) with immediate effect".

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri J. Bala Naik, the then AMVI Integrated Check Post, Purushothapuram, Itchapuram, Srikakulam District, now Motor Vehicle Inspector(u/s) through the Transport Commissioner, A.P., Vijayawada.

The Transport Commissioner, A.P., Vijayawada. (with a request to serve the G.O. on the individual and send the served copy with dated signature to Government for record).

The Director of Treasuries & Accounts, A.P., Vijayawada.

The District Treasury Officer, Srikakulam.

The Commissioner of Printing, Stationery & Stores Purchase, Government.

Printing Press, Mutyalampadu, Vijayawada(with a request to publish the G.O. in the Extraordinary Gazette and furnish 10 copies to the Government)

The Accountant General, A.P., Hyderabad.

Copy to :

The Director General, Anti Corruption Bureau, Vijayawada.

The Secretary, A.P. Vigilance Commission, Secretariat, Velagapudi.

Sf/Sc.

//Forwarded:: By Order//

SECTION OFFICER